

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE: MOTORS LIQUIDATION COMPANY, et al  
f/k/a General Motors Corp., et al

:Chapter 11  
Case No. 09-50026 (REG)  
(Jointly Administered)

**OBJECTIONS TO SUBPOENAS CONCERNING BANKRUPTCY CLAIMS  
INFORMATION FOR ZAMLER, MELLEN & SHIFFMAN, P.C. CLIENTS**

NOW COMES Zamler, Mellen & Shiffman, P.C. and states as follows:

1.) Zamler, Mellen & Shiffman, P.C. represents several asbestos claimants who have filed claims with various bankruptcy trusts.

2.) On or about October 25, 2009, Zamler, Mellen & Shiffman, P.C. received notification of subpoenas served on these trusts for approximately thirteen (13) plaintiffs represented by Zamler, Mellen & Shiffman, P.C.

3.) As to each of these claimants, no action was pending against General Motors at the time General Motors filed for bankruptcy. (See Exhibit 1, letter from General Motor's counsel listing pending cases; and Exhibit 2, Affidavit of Margaret Holman Jensen, Esq.)

4.) That as shown on Exhibit 2, the attached affidavit, each of the claimants had previously settled with or dismissed Defendant, General Motors, prior to the bankruptcy. None of these claimants' names appear as having a pending claim on the list of claimants sent by General Motors's counsel in Exhibit 1.

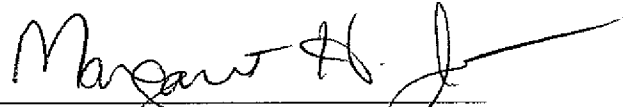
5.) That no claim has been or will be filed for any of these claimants in the General Motors bankruptcy proceedings.

6.) Zamler, Mellen & Shiffman, P.C. objects on behalf of its clients to release information about their bankruptcy claims to other trusts when no claim has or will be filed in the General Motors bankruptcy proceedings.

Respectfully,

ZAMLER, MELLEN & SHIFFMAN, P.C.

BY:



MARGARET HOLMAN JENSEN (P33511)

ALICE BUFFINGTON (P44024)

WILLIAM T. RUSSELL (P40062)

Attorneys for Plaintiffs

23077 Greenfield Rd., Ste. 557

Southfield, MI 48075

(248) 557-1155

DATED: November 5, 2010.



Dykema Gossett PLLC  
400 Renaissance Center  
Detroit, Michigan 48243

WWW.DYKEMA.COM

Tel: (313) 568-6800

Fax: (313) 568-6691

**Todd Grant Gattoni**

Direct Dial: (313) 568-5318

Email: TGATTONI@DYKEMA.COM

June 9, 2009

**Via Federal Express**

Margaret Holman Jensen, Esq.  
ZAMLER, MELLEN & SHIFFMAN, P.C.  
23077 Greenfield  
Suite 557  
Southfield, Michigan 48075

**Re: Attached list of Cases Pending Against General Motors Corporation**

Dear Ms. Holman Jensen:

I write to inform you that on June 1, 2009, (the "Commencement Date"), General Motors Corporation and certain of its subsidiaries (collectively, the "Debtors"), filed voluntary petitions seeking bankruptcy protection under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code") in the United States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court"). The chapter 11 cases have been consolidated for procedural purposes and bear case no. 09-50026 (REG). Enclosed herewith are copies of the Debtors' chapter 11 petition.

Your attention is directed to section 362(a) of the Bankruptcy Code, entitled "Automatic Stay." Pursuant to section 362(a) of the Bankruptcy Code, an automatic stay went into effect on the Commencement Date, prohibiting the commencement or continuation of any actions or proceedings against the Debtors. The automatic stay expressly prohibits the following:

the commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding against the debtor that was or could have been commenced before the commencement of the case under [the Bankruptcy Code.]

11 U.S.C. § 362(a)(1).

Accordingly, the attached-captioned actions are automatically stayed as to General Motors Corporation. All actions taken in violation of the automatic stay are void. Further, pursuant to established case law, parties may be held in contempt of court for violating the automatic stay.



DyKEMA

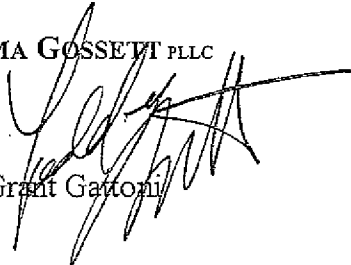
Ms. Margaret Holman-Jensen, Esq.  
June 9, 2009  
Page 2

See, e.g., Bartel v. Eastern Airlines, 133 F.3d 908 (2d cir. 1998); Fidelity Mortgage Investors v. Camelia Builders, Inc., 550 F.2d 47 (2d cir. 1976), cert. denied, 429 U.S. 1093 (1977).

If you have any questions with respect to the foregoing, please do not hesitate to contact me.

Very truly yours,

DYKEMA GOSSETT PLLC



Todd Grant Gannon

Enclosures

DET01V01991.1  
IDNTGG - 097950/0999

**List of Pending Cases**

	<b>Plaintiff(s)</b>	<b>Court</b>	<b>Case Number</b>
1.	Breault, Lawrence	Midland	08-3227-NP-B
2.	Humphrey, Kenneth	Midland	08-2704-NP-B
3.	Leigeb, Edward	Midland	08-5122-NP-B
4.	Moore, Jack	Midland	08-3504-NP-B
5.	Overly, Lloyd	Midland	08-5191-NP-B
6.	Pomranky, David	Midland	08-5192-NP-B
7.	Schaefer, Randal	Midland	08-5009-NP-B
8.	Stellmacher, Jr., David	Midland	08-2983-NP-B
9.	Varner, Lester	Midland	07-2618-NP-B
10.	Wernette, Gary	Midland	08-2984-NP-B
11.	Whalen, James	Midland	08-5008-NP-B
12.	Baker, Ronnie	Wayne	07-706185-NP
13.	Bakus, Donald	Wayne	08-105999-NP
14.	Ball, Frank	Wayne	07-716648-NP
15.	Bergmooser, Keith	Wayne	07-733325-NP
16.	Bilsland, Alexander	Wayne	08-018408-NP
17.	Borek, Dennis	Wayne	07-727481-NP
18.	Boswell, Samuel	Wayne	08-120172-NP
19.	Brush, William	Wayne	07-727483-NP
20.	Burgess, Jr., Arvid	Wayne	08-126586-NP
21.	Burkeen, David	Wayne	08-107370-NP
22.	Butler, Mary	Wayne	07-730041-NP
23.	Capps, Michael	Wayne	07-724541-NP
24.	Carder, Steven	Wayne	07-732333-NP
25.	Carter, Bobby	Wayne	08-120174-NP
26.	Clauw, Frank	Wayne	07-714600-NP
27.	Cole, George	Wayne	07-727484-NP
28.	Coleman, Donnie	Wayne	07-724532-NP
29.	Corazza, James	Wayne	07-715716-NP
30.	Cracknell, Eric	Wayne	07-727485-NP
31.	Debaeke, Lawrence	Wayne	07-724545-NP
32.	Degg, James	Wayne	08-124690-NP
33.	Devroy, Robert	Wayne	07-731587-NP
34.	Ditty, Dewain	Wayne	07-716649-NP
35.	Eddins, Jr., Robert	Wayne	07-726139-NP
36.	Ellis, Alvin	Wayne	07-711216-NP
37.	Eulitz, Arthur	Wayne	08-109831-NP
38.	Fandrei, Michael	Wayne	08-125389-NP
39.	Fields, Johnnie	Wayne	08-109726-NP
40.	Gilin, Patrick	Wayne	08-127057-NP
41.	Gordon, Walter	Wayne	07-730038-NP
42.	Grant, Richard	Wayne	08-124692-NP
43.	Hall, Robert	Wayne	07-716652-NP
44.	Heath, Phelps	Wayne	07-717090-NP
45.	Heilig, Michael	Wayne	07-733324-NP
46.	Hodge, Steven	Wayne	08-107336-NP
47.	Hodges, Edward	Wayne	07-706188-NP
48.	Honaker, Roger	Wayne	08-114473-NP
49.	Jefferson, Raymond	Wayne	07-714598-NP
50.	Kidd, Larry	Wayne	08-104646-NP

**List of Pending Cases**

	Plaintiff(s)	Court	Case Number
51.	Labean, Lawrence	Wayne	08-102216-NP
52.	Lazich, Ronald	Wayne	09-000933-NP
53.	Lengyel, Larry	Wayne	07-727486-NP
54.	Loukas, George	Wayne	09-000934-NP
55.	Meaux, Leon	Wayne	08-125382-NP
56.	Mesler, Robert	Wayne	08-014946-NP
57.	Metcalf, Marcus	Wayne	08-114166-NP
58.	Miller, James	Wayne	08-120178-NP
59.	Milon, David	Wayne	08-114479-NP
60.	Moore, Felton	Wayne	08-104731-NP
61.	Mullins, Walter	Wayne	08-109727-NP
62.	Murray, Leroy	Wayne	08-109828-NP
63.	Netherton, Ricky	Wayne	08-105453-NP
64.	Nimeth, Richard	Wayne	07-702807-NP
65.	O'Connell, Patrick E/O P/R Ellen O'Connell	Wayne	08-107845-NP
66.	Ogletree, Abraham	Wayne	07-724544-NP
67.	Peck, Richard	Wayne	08-127085-NP
68.	Penny, James	Wayne	07-706187-NP
69.	Prush, Joseph	Wayne	08-105452-NP
70.	Pyle, Parks	Wayne	07-727489-NP
71.	Qualls, Cleolous	Wayne	07-727472-NP
72.	Schultz, Wayne	Wayne	08-104642-NP
73.	Shepherd, Clifford	Wayne	08-111338-NP
74.	Shrader, Robert	Wayne	07-724555-NP
75.	Sinclair, Thomas	Wayne	08-116200-NP
76.	Sisung, James	Wayne	07-721467-NP
77.	Sivley, Michael	Wayne	07-725527-NP
78.	Smith, Thomas	Wayne	07-717091-NP
79.	Sneider, Michael	Wayne	07-727475-NP
80.	Sobaszek, Marshall	Wayne	08-124701-NP
81.	Taylor, Kenneth	Wayne	08-015923-NP
82.	Thomas, Richard	Wayne	08-017091-NP
83.	Tomlin, Leonard	Wayne	07-706186-NP
84.	Tracy, Stafen	Wayne	07-716776-NP
85.	Wagner, Barry	Wayne	07-732337-NP
86.	Wahl, Richard	Wayne	07-702805-NP
87.	Walker, Joe	Wayne	08-126587-NP
88.	Watson, Donald	Wayne	08-125381-NP
89.	Watt, Bruce	Wayne	07-728791-NP
90.	Wells, Jr., Eddie	Wayne	07-719823-NP
91.	West, Jimmy E/O P/R Deanne West	Wayne	07-711215-NP
92.	Williams, James	Wayne	08-124076-NP
93.	Williams, Lewis	Wayne	08-107376-NP
94.	Wright, Richard	Wayne	08-124709-NP

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**AFFIDAVIT**

State of Michigan)  
)SS  
County of Oakland)

I, Margaret Holman Jensen, being duly sworn, depose and state as follows:

1. I am a partner in the law firm of Zamler, Mellen & Shiffman, P.C. and represent several asbestos claimants whose claims have been subpoenaed by the firm of Kramer, Levin, Naftalis & Frankel LLP in connection with the IN RE: MOTORS LIQUIDATION COMPANY, et al, f/k/a General Motors Corp., et al (See attached Exhibit A, attachments to subpoenas for each of the trusts)
2. That I have reviewed our records kept in the normal course of business and have found that none of the subpoenaed claimants had a pending claim against General Motors at the time of the bankruptcy petition
3. In particular, and in alphabetical order, the following disposition of the claims occurred:  
Chapin, Phillip - Resolved with GM in 2007  
Gosney, Wilbur - Resolved with GM in 2004  
Gray, Alfus - Resolved with GM in 2007  
Jordan, John - GM not a party defendant (1999 trial date)  
Johnson, Robert - Resolved with GM in 2000  
Milantoni, Rudolph - Resolved with GM in 2002  
Plagens, Irvin - GM dismissed in 2007  
Roman, John - GM dismissed in 2005  
Schur, Earl - Resolved with GM in 2002  
Syders, William - Resolved with GM in 2007  
Theobald, Charles - GM dismissed in 2008  
Underwood, Gilbert - GM dismissed in 2005  
Wesenberg, Wayne - Resolved with GM in 2007
4. Zamler, Mellen & Shiffman, P.C. does not intend to file any claims for any of the above claimants in the bankruptcy proceedings involving General Motors.

FURTHER AFFIANT SAYETH NOT.

11-5-10  
Date

Margaret H. Jensen  
Margaret Holman Jensen, Esquire  
Zamler, Mellen & Shiffman, P.C.

Subscribed and sworn to before me this  
5 day of November, 2010.

Beverly J. Brittain

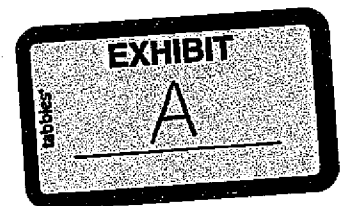
BEVERLY J. BRITTAIN  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF WAYNE  
MY COMMISSION EXPIRES May 22, 2012  
ACTING IN COUNTY OF Oakland



Armstrong World Industries Personal Injury Settlement Trust

Claim Num.	Injured Name
10008196	Gosney, Wilbur
10018747	Gray, Alfus
10008163	Johnson, Robert
10197351	JORDAN, JOHN
10025753	MILANTONI, RUDOLPH
10005850	Plagens, Irvin
10006113	Roman, John
10018647	SCHUR, EARL
10007998	Syders, William
10007256	Theobald, Charles
10051052	Theobald, Charles
10271453	Underwood, Gilbert
10005776	Wesenberg, Wayne

13 Claim(s)





Babcock & Wilcox Asbestos Settlement Trust

Claim Num.	Injured Name
2278293	CHAPIN, PHILLIP
2164357	Gosney, Wilbur
2172216	Gray, Alfus
2170588	Johnson, Robert
2067011	MILANTONI, RUDOLPH
2170546	Plagens, Irvin
2164541	Roman, John
2067040	SCHUR, EARL
2164926	Syders, William
2164945	Theobald, Charles
2194027	Underwood, Gilbert
2170657	Wesenberg, Wayne

12 Claim(s)

DII Industries, LLC Asbestos PI Trust (HAL)

Claim Num.	Injured Name
4041161	Gosney, Wilbur
4040569	Gray, Alfus
4117547	Johnson, Robert
4040064	MILANTONI, RUDOLPH
4039965	Plagens, Irvin
4041165	Roman, John
4040067	Schur, Earl
4040599	Syders, William
4111016	Theobald, Charles
4075917	Underwood, Gilbert
4040558	Wesenberg, Wayne

11 Claim(s)

DII Industries, LLC Asbestos PI Trust (HW)

Claim Num.	Injured Name
5009780	Gosney, Wilbur
5013781	Gray, Alfus
5114616	Johnson, Robert
5011820	MILANTONI, RUDOLPH
5012018	Plagens, Irvin
5009793	Roman, John
5009286	Schur, Earl
5009854	Syders, William
5009859	Theobald, Charles
5069884	Underwood, Gilbert
5012323	Wesenberg, Wayne

11 Claim(s)

Owens Corning/Fibreboard Asbestos Personal Injury Trust (FB)

Claim Num.	Injured Name
12064035	GOSNEY, WILBUR
12059983	GRAY, ALFUS
12270637	JOHNSON, ROBERT
12311435	Jordan, John
12089342	MILANTONI, RUDOLPH
12057036	PLAGENS, IRVIN
12056727	ROMAN, JOHN
12045689	SCHUR, EARL
12060111	SYDERS, WILLIAM
12163277	THEOBALD, CHARLES
12224522	Underwood, Gilbert
12059914	WESENBERG, WAYNE

12 Claim(s)

Owens Corning/Fibreboard Asbestos Personal Injury Trust (OC)

Claim Num.	Injured Name
11068983	GOSNEY, WILBUR
11077635	GRAY, ALFUS
11085366	JOHNSON, ROBERT
11077865	JORDAN, JOHN
11085167	MILANTONI, RUDOLPH
11070075	PLAGENS, IRVIN
11069767	ROMAN, JOHN
11059378	SCHUR, EARL
11077762	SYDERS, WILLIAM
11197281	THEOBALD, CHARLES
11069796	UNDERWOOD, GILBERT
11077539	WESENBERG, WAYNE

12 Claim(s)

United States Gypsum Asbestos Personal Injury Settlement Trust

Claim Num.	Injured Name
6010806	Gosney, Wilbur
6031808	Gray, Alfus
6263254	Johnson, Robert
6020690	MILANTONI, RUDOLPH
6025485	Plagens, Irvin
6011131	Roman, John
6012200	SCHUR, EARL
6011592	Syders, William
6011603	Theobald, Charles
6218568	Underwood, Gilbert
6025851	Wesenberg, Wayne

11 Claim(s)

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

**IN RE: MOTORS LIQUIDATION COMPANY, et al**  
**f/k/a General Motors Corp., et al**

**:Chapter 11**  
**Case No. 09-50026 (REG)**  
**(Jointly Administered)**

## PROOF OF SERVICE

STATE OF MICHIGAN)  
COUNTY OF OAKLAND)SS

SHARON GIBBONS, being first duly sworn, deposes and says that she is employed in the law offices of ZAMLER, MELLEN & SHIFFMAN, P.C., attorneys for Plaintiffs; and further, that on November 5, 2010, she did serve a true copy of the within **OBJECTIONS TO SUBPOENAS CONCERNING BANKRUPTCY CLAIMS INFORMATION FOR ZAMLER, MELLEN & SHIFFMAN, P.C. CLIENTS** upon: **The Honorable Robert E. Gerber, U.S. Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York, 10004-1408**; and upon: **Philip Bentley, Esq., Kramer, Levin, Naftalis & Frankel LLP, 1177 Avenue of the Americas, New York, New York, 10036**; via UPS.

  
SHARON GIBBONS

Subscribed and sworn to before me this 5<sup>th</sup> day of November, 2010.

**BARBARA ALEXANDER**  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF MACOMB  
MY COMMISSION EXPIRES Dec 28, 2012  
ACTING IN COUNTY OF OAKLAND

Burkard J. G. G.